

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

JERRY KARWACINSKI,

Plaintiff,

v.

INDIANA DEPARTMENT OF
TRANSPORTATION – TOLL ROAD
DISTRICT,

Defendant.

Case No. 3:06-CV-57 JVB

ORDER

On June 12, 2008, the undersigned District Judge reaffirmed Judge Allen Sharp's December 19, 2006 referral for nondispositive motions and for a Report and Recommendation on dispositive motions. On June 25, 2008, Magistrate Judge Nuechterlein issued a Report and Recommendation on Defendant Indiana Department of Transportation - Toll Road District's Motion for Summary Judgment [DE 40]. At that time, Magistrate Judge Nuechterlein advised the parties, pursuant to Rule 72(b), that within ten days after being served with a copy of the Report and Recommendation, they may serve and file specific, written objections to the proposed findings and recommendations.

Here, the parties did not file objections to Magistrate Judge Nuechterlein's Report and Recommendation. Accordingly, the parties have waived any right to challenge Magistrate Judge Nuechterlein's Report and Recommendation. *See e.g., United States v. Hall*, 462 F.3d 684, 688 (7th Cir. 2006) ("[T]he failure to object to the recommendations and decisions of a magistrate judge is one instance [in which] we have held [that] waiver of appellate review results."); *Willis v. Caterpillar, Inc.*, 199 F.3d 902, 904 (7th Cir. 1999); *Hunger v. Leininger*, 15 F.3d 664, 668 (7th Cir. 1994); *The Provident Bank v. Manor Steel Corp.*, 882 F.2d 258, 260-61 (7th Cir. 1989).

The undersigned District Judge being duly advised adopts the Magistrate Judge's Report and

Recommendation [DE 49] and grants Defendant's Motion for Summary Judgment [DE 40].

SO ORDERED on July 15, 2008.

s/ Joseph S. Van Bokkelen
JOSEPH S. VAN BOKKELEN
UNITED STATES DISTRICT JUDGE
HAMMOND DIVISION